

Remarks

A Notice of Appeal was filed in the present application on December 22, 2010. The Appeal is withdrawn by the accompanying Request for Continued Examination. Claims 1-3, 6-10, and 13-17 are pending and at issue in the present application.

On February 19, 2011, undersigned applicant's attorney and Examiner Jeffery Lipitz conducted a telephone interview, during which the undersigned pointed out information demonstrating that Smith U.S. Patent No. 7,422,327 is not available as prior art against the claims of the present application. Specifically, Smith is entitled to an earliest filing date of December 31, 2005. The priority date of the present application is March 31, 2004. A PCT application PCT/EP2005/051430 was filed March 30, 2005, designating the U.S., and claims priority from Belgian application No. 2004/0167, filed on the priority date. Applicants confirm that the document "English Translation of the PCT Application" is a true and accurate translation of at least the specification of PCT/EP2005/051430, filed March 30, 2005. Based on these facts, applicants contend that Smith is not prior art with respect to the present application and that the rejection of the claims at issue as obvious over Gerdt in view of Smith should be withdrawn.

Reconsideration and allowance of the claims at issue are respectfully requested. The examiner is encouraged to call the undersigned attorney or applicants should he feel doing so would expedite prosecution of this application.

Serial No. 10/599,520
Response with RCE dated February 17, 2011
Response to Office Action dated June 30, 2010

Deposit Account Authorization

Should an extension be required in connection with this application, please treat this paper as a request therefore. The Commissioner is hereby authorized to charge any deficiency in any amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17, except issue fees, to Deposit Account No. 50-1903.

Respectfully submitted,

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